

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN MAHONEY, *ON BEHALF OF
HIMSELF AND ALL OTHERS SIMILARLY
SITUATED,***

Plaintiff,

v.

GREEN GROWTH BRANDS, LLC,

Defendant.

CIVIL ACTION

NO. 20-274-KSM

ORDER

AND NOW, this 17th day of April, 2020, the plaintiff having failed to serve the complaint on the defendant within 90 days, and the Court having given notice of the potential dismissal by letter dated April 8, 2020 (Doc. No. 3), it is **ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE** for lack of prosecution.¹

IT IS SO ORDERED.

/s/KAREN SPENCER MARSTON

KAREN SPENCER MARSTON, J.

¹ Under Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”